

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT ENDRIKAT,	:	
Plaintiff	:	
	:	No. 1:21-cv-01684
v.	:	
	:	(Judge Kane)
RANSOM, et al.,	:	
Defendants	:	

ORDER

AND NOW, on this 29th day of November 2021, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Plaintiff's amended complaint (Doc. No. 17) is **DISMISSED** in part pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii);
2. Plaintiff's claims against the State Correctional Institution-Waymart, the Pennsylvania Department of Corrections, and the Pennsylvania Board of Probation and Parole are **DISMISSED WITH PREJUDICE**;
3. Plaintiff's claims against all other defendants other than David Chaple and Nicole Elliott are **DISMISSED WITHOUT PREJUDICE**;
4. Plaintiff may file a second amended complaint within thirty (30) days of the date of this Order. If Plaintiff elects to file a second amended complaint, Plaintiff is advised to adhere to the standards set forth in the Federal Rules of Civil Procedure and the directives set forth by this Court in its accompanying Memorandum. Specifically, the second amended complaint must be complete in all respects. It must be a new pleading which stands by itself without reference to the original complaint, the amended complaint, or any other documents already filed. The second amended complaint should set forth Plaintiff's claims in short, concise, and plain statements as required by Rule 8 of the Federal Rules of Civil Procedure. Each paragraph should be numbered. The second amended complaint should specify which actions are alleged as to which defendants and sufficiently allege personal involvement of the defendant in the acts which Plaintiff claims violated his rights. Mere conclusory allegations will not set forth cognizable claims;
5. The Clerk of Court is directed to mail Plaintiff a civil rights complaint form;
6. If Plaintiff fails to file an amended complaint within thirty (30) days of the date hereof, the amended complaint will remain the operative pleading and the case

shall proceed as to Plaintiff's claims against Defendants Chaple and Elliott only; and

7. Service of process will be deferred pending the possible filing of a second amended complaint by Plaintiff.

s/ Yvette Kane

Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania